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March 25, 2009

Cynthia Bryant  
Director  
Governor's Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento, CA 95812-3044

HOUSING POLICY  
DEVELOPMENT, HCD

MAR 27 2009

AND

Cathy E. Creswell  
Deputy Director  
Department of Housing and Community Development  
Division of Housing Policy Development  
1800 Third Street  
P.O. Box 952053  
Sacramento, CA 94252-2053

RE: Annual Report on the status and progress in implementing the Housing Element of the General Plan

To Whom It May Concern:

City of Fremont is providing the annual report on the status and progress in implementing the Housing Element of the General Plan as required under Section 65400 of Article 7 – Administration of General Plan, Planning and Zoning Law.

Attached to this letter, you will find the following:

- Annual Report on the General Plan and Housing Element for calendar year 2008.
- Attachments to Annual Report:
  - Exhibit "A1" - Planning Commission Report of March 12, 2009
  - Exhibit "A2" - List of the Housing Element's goals, objectives and implementing measures and a commentary on progress towards achieving them during calendar year 2008.

If you have any questions regarding this letter or its attachments, please do not hesitate to call me at (510) 494-4527 or e-mail me at [jschwob@ci.fremont.ca.us](mailto:jschwob@ci.fremont.ca.us).

Sincerely,

Jeff Schwob  
Planning Director

Attachment



*Building & Safety*  
510 494-4400

*Engineering*  
510 494-4700

*Housing & Redevelopment*  
510 494-4500

*Planning*  
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**\*2.9 ANNUAL REPORT ON THE GENERAL PLAN AND HOUSING ELEMENT  
(PLN2009-00165)**

**Public Hearing (Published Notice) to Consider an Annual Report on the Status of the  
General Plan and Housing Element Implementation**

**Contact Person:**

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**Executive Summary:** State planning law requires cities to provide a status report on the General Plan and an update on the implementation of the Housing Element each year to the Governor's Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD). The purpose of this report is to provide an annual review of the General Plan as well as progress in implementing the Housing Element in keeping with the requirements of Government Code Section 65400.

The City of Fremont continues to make progress toward meeting its regional housing needs and Housing Element Implementation Programs. Approximately 267 units (including 42 moderate income units) were issued building permits. There were six General Plan Amendment changes (grouped in four amendment packages) during this time period of which three were related to residential development. Details are enumerated in the March 12, 2009 Planning Commission Report (Exhibit 1).

**BACKGROUND:** The City of Fremont received certification of the current Housing Element in 2003 by the State Department of Housing and Community Development (HCD). Major implementation efforts relating to the Housing Element for required rezonings and redesignations of properties at various densities to provide adequate sites for residential development were completed in the summer of 2005. Annual reports on progress towards meeting housing production and program implementation goals have occurred each year since adoption of the Housing Element.

The City of Fremont is actively in the process of updating the General Plan and the Housing Element. Staff anticipates the draft General Plan 2030 will be circulated for review in Summer 2009. Under State law, the City of Fremont must adopt an updated Housing Element of the City's General Plan by June 30, 2009. Staff has prepared a draft updated Housing Element for submittal to the State Housing and Community Development Department (HCD) for their required review. On March 3, 2009, the City Council authorized the submission of the Draft General Plan Housing Element to the State Housing and Community Development for review.

**Project Description:** State planning law requires the City to prepare an annual status report on the General Plan. Specifically, Government Code Section 65400 requires the City to provide a report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development on or before April 1<sup>st</sup> of each year on the status of the plan and progress in its

implementation, including the progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing.

An update on the status of the General Plan, the Housing Element, and the progress made in meeting the goals and objectives outlined in the Implementation Program for the Housing Element for calendar year 2008 is contained in the March 12, 2009 Planning Commission Report, attached hereto as Exhibit 1 and incorporated by reference.

**Environmental Review:** The annual report is exempt from the California Environmental Quality Act (CEQA) in that the activity is not defined as a “project” under CEQA Guideline 15378(b)(5).

**Planning Commission Recommendation:** The Planning Commission at its March 12, 2009 meeting *recommended* the City Council approve this item. A summary of public and Planning Commission comments will be provided at the City Council meeting.

**Public Notice and Comment:** Public hearing notification is applicable. A total of 249 notices were mailed to organizations and individuals interested in housing issues, and persons entitled to notices, on March 12, 2009. A Public Hearing Notice was delivered to The Tri-City Voice on March 5, 2009 to be published by March 10, 2009.

**ENCLOSURES:** Exhibit A - Planning Commission Report of March 12, 2009 and a listing of the Housing Element’s goals, objectives and implementing measures and a commentary on progress towards achieving them during calendar year 2008

**RECOMMENDATIONS:**

1. Hold public hearing.
2. Find the Annual Report is exempt from the California Environmental Quality Act (CEQA) in that the activity is not defined as a “project” under CEQA Guideline 15378(b)(5).
3. Find that the Annual Report of the General Plan and Housing Element (Exhibit 1) accurately depicts the current status of the City of Fremont with respect to the General Plan and Housing Element.
4. Receive presentation on housing policy issues and provide feedback to staff for use in drafting the updated General Plan.



## PLANNING COMMISSION STAFF REPORT MARCH 12, 2009

**Project:** ANNUAL REPORT ON THE GENERAL PLAN AND HOUSING ELEMENT (PLN2009-00165)

**Proposal:** To consider an annual report on the status of the General Plan and Housing Element.

**Staff Recommendation:** Recommend accepting annual report on the General Plan and Housing Element (this agenda report and Exhibit A) to Council.

**Location:** Citywide

**People:** City of Fremont, Applicant

**Environmental Review:** The annual report is exempt from the California Environmental Quality Act (CEQA) in that the activity is not defined as a "project" under CEQA Guideline 15378(b)(5).

### **EXECUTIVE SUMMARY:**

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State planning law requires cities to provide a status report on the General Plan to the Governor's Office of Planning and Research (OPR) and an update on the implementation of the Housing Element each year to the State Department of Housing and Community Development. The purpose of this report is to provide an annual review of the General Plan changes as well as progress in implementing the Housing Element in keeping with the requirements of Government Code Section 65400.

### **BACKGROUND AND PREVIOUS ACTIONS:**

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The City of Fremont received certification of the current Housing Element in 2003 by the State Department of Housing and Community Development (HCD). In 2005, the City completed rezonings and redesignations of properties at various densities to provide adequate sites for residential development. Annually, the City prepares and submits reports on progress towards meeting housing production and program implementation goals to HCD.

The City of Fremont is actively in the process of updating the General Plan and the Housing Element. Staff anticipates the draft General Plan 2030 will be circulated for review in Summer 2009. Pursuant to State law, the City of Fremont must adopt an updated Housing Element of the City's General Plan by June 30, 2009. Staff has prepared a draft updated Housing Element for submittal to the State Housing and Community Development Department (HCD) for their required review. On March 3, 2009, the City Council *authorized* the submission of the Draft General Plan Housing Element to the State Housing and Community Development for review.

## PROJECT DESCRIPTION:

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State planning law requires the City to prepare an annual status report on the General Plan. Specifically, Government Code Section 65400 requires the City to provide a report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development on or before April 1<sup>st</sup> of each year on the status of the plan and progress in its implementation, including the progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing.

This report provides an update on the status of the Regional Housing Need goals, the Housing Element and the progress made in meeting the goals and objectives outlined in the Implementation Program for the Housing Element for calendar year 2008, and the General Plan.

## PROJECT ANALYSIS:

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This report is divided into the following sections:

- I A description of progress in meeting regional housing needs for calendar year 2008.
- II A description of the progress in implementing various programs in the Housing Element.
- III A description of the status of General Plan activities during calendar year 2008.

### I. Progress in Meeting Regional Housing Needs

The State of California provides population growth estimates to each regional council of governments, [in the Bay Area, the regional council is the Association of Bay Area Governments (ABAG)] and ABAG is then charged with determining the share of new housing units for which a community must plan in order to accommodate projected housing needs of the estimated growth. The Regional Housing Needs Allocation (RHNA) determination was established by ABAG in 2008 and considers housing production from January 1, 2007 to December 31, 2014. The estimated number of housing units needed in Fremont, as determined and certified by ABAG, is set forth in Table 1 below.

**TABLE 1**  
**Housing Need by Income Category (2007-2014)**

Income Category	Housing Need
Very Low Income	1,348 households (31.0%)
Low Income	887 households (20.0%)
Moderate Income	876 households (20.0%)
Above Moderate Income	1,269 households (29.0%)
<b>TOTAL</b>	<b>4,380 households (100%)</b>

Source: Association of Bay Area Governments (ABAG) figures.

Generally, Very Low Income households have incomes which do not exceed 50% of the area median income, Low Income households have incomes which do not exceed 80% of area median income, Moderate Income Households have incomes which do not exceed 120% of area median income, and

Above Moderate Income households have incomes greater than 120% of area median income. The median income for the City of Fremont was \$93,420 in 2008. (See Title 25 Cal. Code of Regs. §6910 *et seq.*)

Table 2 illustrates the City of Fremont's building permit activity for very low-, low-, and moderate-income housing units. (For Table 2, refer to fold out attachment) Building permit activity for calendar year 2008 resulted in the production of 267 housing units total with 44 affordable units at moderate income levels. Two of the affordable units were secondary dwelling units and 42 units were issued permits under the inclusionary housing requirement for the respective developments. 223 housing units were produced as above moderate-income units. Table 3 illustrates the City of Fremont's continued progress with housing production.

**TABLE 3  
REGIONAL HOUSING NEEDS ALLOCATION PROGRESS**

HOUSEHOLD INCOME LEVEL	REGIONAL HOUSING NEED DETERMINATION	UNITS ISSUED BUILDING PERMIT 1/1/2007 – 12/31/2007	UNITS ISSUED BUILDING PERMIT 1/1/2008 – 12/31/2008	TOTAL	UNMET REGIONAL HOUSING NEED DETERMINATION
Very Low	1,348 Units	0 Units	0 Units	0 Units	1,348 Units
Low	887 Units	0 Units	0 Units	0 Units	887 Units
Moderate	876 Units	78 Units	44 Units	122 Units	754 Units
Above Moderate	1,269 Units	322 Units	223 Units	545 Units	724 Units
<b>Total</b>	<b>4,380 Units</b>	<b>400 Units</b>	<b>267 Units</b>	<b>667 Units</b>	<b>3,713 Units</b>

Source: ABAG figures and City of Fremont Building Permit records January 1, 2007 to December 31, 2008.

## **II. Progress in Implementation of the Housing Element (Adopted May 2003, Certified July 2003)**

The Housing Element, in Chapter 8, identified a Housing Program Strategy with 5 goals, 12 policies and 47 programs. The enclosed Exhibit A (Status of Housing Element Implementation Programs) lists in detail the various Goals, Policies and Programs, with their current status. Of the 47 implementation programs, 28 are of an on-going nature and 19 have a determinant status. The City has completed all 19 of the implementation programs that have a determinant status.

The time period covered in this report is generally from January to December 2008. A summary of important achievements is provided below organized under the five goals of the Housing Element.

### ***Housing Goal 1: Conservation and Enhancement of Existing Residential Neighborhoods***

Housing Policy 1A addresses maintaining existing housing programs which assist very low and low income homeowners and rental property owners in repairing their homes (Programs 1-3.) The current Neighborhood Home Improvement Program addresses this policy and assisted ten homeowners (1 – extremely low, 2-very low, 5-low and 2-moderate income households) with rehabilitation loans funded by Redevelopment Agency affordable housing funds and federal Community Development Block Grant (CDBG) funds during calendar year 2008.

Emergency repair grants were provided to 26 households (22-very low income and 4-low income) during calendar year 2008. The City of Fremont, Office of Housing and Redevelopment sponsored a workshop on January 23, 2008 for property owners and managers on property management, property maintenance, tenant screening, landlord/tenant laws, fair housing laws, mediation services and waste management/recycling. Over the past ten years, more than 1,000 property owners/managers have attended the City-sponsored Apartment Management Certification Program.

Housing Policy 1B addresses non-housing capital improvement needs in Fremont neighborhoods (Program 4-5.) Exhibit A describes the ten projects the Redevelopment Agency contributed to in the last year, for a budgeted amount of \$12.7 million. The next Capital Improvement Program cycle will begin around June 2009 to identify additional projects.

The City also contributed approximately \$8 million to various street and median maintenance and enhancement projects to improve existing residential neighborhoods. All of these capital projects make the areas more attractive and conducive to investment, particularly investments which result in improvements to existing residential neighborhoods.

Housing Policy 1C addresses working with the private sector by assisting private initiatives to maintain and improve neighborhoods and homes (Program 6.) The City is continuing in its work to strengthen neighborhood spirit and unity with the National Night Out program. Council members, commissioners, citizen advisory board members, on-duty police, firefighters, 133 other City staff, and City volunteers participated in the 25<sup>th</sup> anniversary of National Night Out on August 5, 2008. There were 136 registered block parties. In total over 5,000 Fremont residents participated in National Night Out 2008.

In addition, the City continues to maintain staff liaisons with the Irvington Business Association, the Centerville Business Association, and the Niles Commercial Property Owners Association.

### ***Housing Goal 2: High Quality and Well-Designed New Housing of All Types Throughout the City***

This goal addresses the importance of developing and maintaining a high quality, attractive and diverse housing stock throughout the City. Housing Policy 2A states: "The City Shall Continue to Apply Building Codes and Design Standards to Ensure That Development is of High Quality and Consistent with the Scale and Character of the Community" (Program 7-8.) The City of Fremont has adopted the 2007 California building, plumbing, mechanical, electrical and fire codes pursuant to State law in order to prevent unsafe or hazardous building conditions.

In November 2008, a citizens "Green Task Force" made recommendations to the City Council on making the City's operations more sustainable. As a result, the City Council adopted a policy requiring all new residential planned district applications to achieve 50 points on the Build It Green checklist. In addition, as part of the updated Housing Element, the Redevelopment Agency will evaluate establishing an incentive program for developers to install solar photovoltaic systems in multi-family affordable housing projects.

### ***Housing Goal 3: Housing Affordable and Appropriate for a Variety of Fremont Households at all Economic Levels Throughout the City Consistent with the Hill Area Initiative of 2002***



Housing Policy 3A relates to the adoption of appropriate land use regulations and other development tools to encourage development of affordable housing. All nine of the implementing programs are now complete. The completion of these nine programs satisfies the requirements of Housing Policy 3A. In addition, as part of Housing Policy 3A under Program 13B, Facilitate and Assist Affordable Housing Developments, there is on-going effort to work with developers to identify sites for affordable housing development and senior housing developments. During this reporting year, the Redevelopment Agency approved a \$2.5 million acquisition fund for a 98-apartment unit senior housing development Eden Housing plans to construct on Peralta Boulevard in the Centerville Redevelopment Project Area. The development proposes 10 units at 16% Area Median Income (AMI), 79 units at 20% AMI, 8 at 35% AMI and 1 caretaker's unit. The Redevelopment Agency also approved a \$219,000 pre-development loan and \$3 million HELP Program acquisition loan for Allied Housing. Allied Housing is proposing 55~60 supportive housing units serving extremely low to low income households in the Irvington Redevelopment Project Area.

In 2004, revisions to mixed-use regulations were implemented through Program 15. The Peralta Mixed Use Senior Homes project, a 98-apartment unit mixed use project in the Centerville Planning Area, received planning approval in the Fall of 2008.

As a result of the implementation program creating the Inclusionary Housing Ordinance (Program 16), a consistent source of affordable units in combination with market rate housing production is ongoing. The following lists specific BMR obligations of recent development projects.

- Robson Homes (Castilleja) with 17 mandatory inclusionary units (15%) has BMR homes available for purchase in 2009.
- John Laing Homes (Ville D'Este) with 55 inclusionary units (5% above the mandatory 15%). Construction has been halted. Twelve of the 55 BMR units have been issued building permits. BMR units will be available for sale commensurate with completion of the project.
- KB Homes (Montebello) with 51 mandatory inclusionary units (15%) is under construction. The BMR homes will be available Fall 2007 through Spring/Summer 2009.
- Summerhill Homes (Rosewood) with 16 mandatory inclusionary units (15%). Construction began Spring 2008.
- Regis Homes (Park Lane West) with 16 mandatory inclusionary units (15%). Construction underway. Eight of the 16 BMR units have been issued building permits. BMR units will be available for sale commensurate with completion of the project.

Housing Policy 3B relates to the General Plan redesignations and rezonings and has eight implementation programs (Programs 17-24). Six of the implementation programs have a determinant status (Program 18-23.)

Program 17, which is an inventory of vacant and underutilized lands, is an ongoing effort. As of 2008, there are approximately 43 parcels of residentially designated land in the City of Fremont with a potential for yielding approximately 2,520 residential units at 30 dwelling units per acre or higher.

Implementation of Program 24, annual report to State Department of Housing and Community Development (HCD), requires the submittal of this report to the HCD by April 1, 2009.

Housing Policy 3C related to encouraging the development of a diverse housing stock that provides a range of housing projects at a range of affordability levels which are equally distributed throughout the City (Program 25-29.) Of the five implementation programs, four will be highlighted. Program 26, which was to eliminate discretionary review in the City's Secondary Dwelling Unit application process, as required by State law, was completed in July of 2003. The City Council approved a comprehensive Zoning Text Amendment relative to second unit standards on March 2, 2004. For this current reporting year, two building permits have been issued for secondary dwelling units.

Progress has also been made with Program 27, which encourages the development of larger sized units for households of low and moderate incomes. The City's Redevelopment Agency adopted an "Affordable Housing Investment Strategy" to encourage the development of those units. A total of 400 three-bedroom units were approved to date as part of this strategy, as detailed in Exhibit A.

Work under Program 28 to provide loans to first time homebuyers accomplished 14 down payment assistance loans to moderate income first time homebuyers. As part of this program, over 500 households were provided with homeownership training in 2008. Under Program 29, Alameda County issued Mortgage Credit Certificates to two low income first time homebuyers.

Housing Policy 3D (Programs 30-34) emphasizes the development and utilization of funding resources to maximize affordable housing development. Program 30 previously evaluated in FY 2004/2005 the feasibility of a program that would require fees from job generating developments to support affordable housing efforts. The program was not chosen for implementation at that time based on economic conditions.

The City continues in its efforts to support affordable housing through the utilization of Redevelopment Agency affordable housing funds, federal HOME funds and Community Development Block Grant (CDBG) Funds, as well as State HELP funds, and tax credits (Program 32).

- Approved a \$2.5 million acquisition funds for a 98-unit senior housing development to be built by Eden Housing in Centerville.
- Approved a \$219,000 pre-development loan and \$3 million HELP Program acquisition loan for Allied Housing's proposed Main Street Village project for 55-60 supportive housing units serving extremely low to low income households.

The purpose of Program 34 is to implement the Redevelopment Agency's Affordable Housing Strategy. This includes the directive that 80 percent of the Agency's financial resources reserved for new housing construction be directed to rental housing developments for extremely low, very low and lower income households. During the 2002-06 time frame, 492 units were approved for development or had existing units provided with affordability restrictions. No additional units were added during the current reporting year.

Housing Policy 3E (Programs 35-37) emphasizes the importance of preserving the existing affordable housing stock. Implementation of Program 35 targets the preservation of affordable housing units at risk of converting to market rate units due to expiration of federal, state or local financing and affordability agreements. During 2007, 27 “at risk” affordable units were not preserved. However, the owners of Regency Square actively assisted 25 BMR residents in relocating to BMR units in other developments and two households remained paying market rate.

As part of Program 36, which assists low income families with move-in costs or other financial assistance, the City provided screening for over 200 households, issued 27 loan guarantees, and provided support counseling to over 150 individuals and followed up on two program loans to ensure participants are making timely payments on their loan guarantee. Under Program 37, the City continues in its efforts to obtain 99 year affordability terms for Inclusionary units within rental projects. This program also includes efforts to obtain 30 -year affordability term for “for-sale” units with renewable 30 year terms upon resale and a 45 year affordability term for households assisted under the First Time Homebuyer Program using RDA funds.

***Housing Goal 4: A Continuing Leadership Role in Regional Efforts to Maintain and Expand the Range of Housing Alternatives in the San Francisco Bay Area***

Housing Goal 4 (Programs 38 and 39) has one policy and two implementing programs. Implementing Program 38, Support for Non-Profit Affordable Housing Providers, resulted in the issuance of a Proclamation by the Mayor on behalf of the City Council declaring the week of May 5, 2008 as Affordable Housing Week. The City and the Chamber of Commerce sponsored a half-day affordable housing workshop in September, 2008 that included a bus tour of nearby mixed use development. In October 2008, the City sponsored a Housing Workshop to receive community input and give residents an opportunity to learn more about how the City is planning for the housing needs of a growing population and find out how the needs of disabled, senior and family will be met. The workshop also included discussions related to increased density around public transit and design of housing developments. Over 60 residents participated in the workshop.

Under Program 39, Inter-Jurisdictional and Regional Planning, the City continues its participation in the Alameda County HOME Consortium. At least 15% of the funding resources of the consortium are spent in the development or rehabilitation of affordable housing. In addition, The City’s Human Relations Commission and Office of Housing and Redevelopment support Affordable Housing Week activities county-wide. The City Council has also adopted the Alameda County Every One Home Plan, a 15-year plan to eliminate homelessness, and in Spring 2008, City Council considered a plan to meet needs of the homeless and those with special needs in Fremont.

***Housing Goal 5: Ensure That All Persons Have Equal Access to Housing Opportunities***

This goal has two policies and eight implementation programs. Housing Policy 5A’s purpose is to enforce regulatory measures to protect individual rights. The two implementation programs (Programs 40 and 41) establish a policy whereby the City will provide rent increase dispute resolution and fair housing counseling services. Between Jan 1, 2008 and Dec 31, 2008, Mediation Services opened 63 conciliation cases of which 50 were successfully conciliated. During the same time frame, ten households had requested mediation services and eight were successfully mediated. The City’s provider

of these services, Fremont Fair Housing Services (FFHS), investigated 38 housing discrimination cases and responded to over 581 fair housing inquiries during the reporting period. FFHS provided over 2,600 Fremont residents with landlord and tenant information on their rights and responsibilities and assisted on a number of mediation cases.

The purpose of Housing Policy 5B is to provide assistance to Service Providers of Special Needs Households. It has six implementation programs (Programs 42 to 47). Three programs will be highlighted for discussion. Under Program 42, the Home Equity Conversion Program responded to 28 inquiries and provided 15 seniors with in-depth counseling on home equity. In addition, the Equity Conversion Staff distributed over 1,000+ flyers about the program. Under Program 46 which provides accessibility improvements to existing housing, the City assisted one very-low income and one moderate income households. Under Program 47 which provides for increasing the range of housing opportunities, the City continues to support various housing services and opportunities for homeless households. The accomplishments include financing the operation of a 66-bed emergency shelter facility, providing funds for expanded housing and rental subsidies (such as to victims of domestic violence, youths aged-out of foster care, mentally disabled homeless persons); and, administrative support to partner agencies that provide services to the homeless. In addition, the Housing Scholarship program provides rent reduction to scholarship households while in training and working toward self-sufficiency. There are 22 participants currently in the Program and 348 participants have been assisted since inception in 1987.

In December 2008, a zoning text amendment was completed to allow emergency shelters as a permitted use in at least one zoning district and to allow supportive and transitional housing as residential uses in compliance with State law (Senate Bill 2.)

### **III. Status of General Plan Activities**

This section of the report focuses on General Plan Amendments (GPAs) approved from January 1, 2008 to December 31, 2008. Per Government Code Section 65358(b), the General Plan may not be amended more than four times per year. Each amendment may include more than one change. There were a total of six GPAs approved during this time period occurring on April 22nd, September 23rd, December 2nd and December 9th of 2008. One of the GPAs was City-initiated (i.e., one General Plan text change). The remaining five amendments were initiated by the private sector (i.e., three residential and two commercial/industrial land use redesignations).

There were a total of three General Plan Land Use Amendments related to residential development.

The projects were:

- Beard Road Planned Unit Development (PLN2005-00241) located on Beard Road (approved on April 22, 2008). The land use designation was changed from 0.32 acres of low density residential (3 to 5 du/ac) to low density residential (5 to 7 du/ac) yielding one dwelling unit for the project;
- Thornton Pan-Cal (PLN2008-00305) located on Thornton Avenue (approved September 23, 2008). The land use designation was changed from medium density residential (11 to 15 du/ac) to a total of 1.35 acres at high density residential (27 to 35 du/ac) yielding 15 dwelling units for the project;

- Central Park South (PLN2005-00131) located on Railroad Avenue (approved December 9, 2008). The land use designation was changed from light industrial to a total of 13 acres at medium density residential (11 to 15 du/ac), high density residential (35 to 50 du/ac) and private open space yielding 185 dwelling units for the project.

There were two non-residential General Plan Amendments (two private and one public sector) approved during this time period. The General Motors Auto Dealership Project (PLN2008-00190), a private sector non-residential General Plan Amendment (approved on September 23, 2008) redesignated a 9 acre site located on Boyce Road and Boscell Road from General Industrial with Commercial Industrial Overlay to Commercial High Volume Retail. The amendment was requested to enable the development of two auto dealerships on former truck freighting properties. The second private sector non-residential General Plan Amendment was approved on December 2, 2008 to redesignate 8.7 acres from Light Industrial to Neighborhood Commercial. The amendment was requested to enable the development of a retail center on a vacant industrial site.

City Council approved a City-initiated General Plan text amendment on December 9, 2008 which clarified language in the Land Use Chapter enabling emergency shelter type housing in conformance with established City policy and zoning ordinance (PLN2009-00034).

The City of Fremont is actively engaged in the process of comprehensively updating its General Plan for a planning horizon extending out to 2030. City staff conducted a series of community meetings and workshops in the summer and fall of 2007 to gather community input. This input, together with policy direction provided by the City Council in a series of study sessions in 2008, will serve as a foundation for a draft General Plan. Staff will circulate a draft General Plan in the summer of 2009. The community will again have extensive opportunities for review and comment. Staff anticipates a draft General Plan will be available in the Summer of 2009 and final adoption of the General Plan 2030 in 2010.

#### **PUBLIC NOTICE AND COMMENT:**

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Public hearing notification is applicable. A total of 249 notices were mailed to organizations and individuals interested in housing issues, and persons entitled to notices, on February 27, 2009. A Public Hearing Notice was delivered to the Tri-City Voice on February 13, 2009 to be published by February 18, 2009.

#### **ENCLOSURES:**

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##### ***Exhibits:***

- Exhibit "A" A listing of the Housing Element's goals, objectives and implementing measures and a commentary on progress towards achieving them during Calendar Year 2008.

## **RECOMMENDATION:**

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1. Hold public hearing.
2. Recommend the City Council find the Annual Report is exempt from the California Environmental Quality Act (CEQA) in that the activity is not defined as a "project" under Guideline 15378(b)(5).
3. Recommend the City Council find that the Annual Report of the General Plan and Housing Element accurately depicts the current status of the City of Fremont with respect to the General Plan and Housing Element.

Jurisdiction  
Reporting Period

City of Fremont  
January 1, 2008 - December 31, 2008

Table 2  
Annual Building Activity Report  
Very Low-, Low-, and Moderate-Income Units and Mixed-Income Multifamily Projects

Housing Development Information										Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions	
1	2	3	4				5	6	7	8			
Project Identifier	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Assistance Programs for Each Development	Deed Restricted Units	# of Units Affordable without Financial or Deed Restrictions and Reason Why the Units were Determined/Affordable			
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income							
KB Homes (Montebello)	SF	O			2		2		INC				
KB Homes (Montebello)	5+	O			13		13		INC				
John Laing Homes (Villa D'Este)	SU	O			1		1						
Regis Homes (Park Lane West)	5+	O			6		6		INC				
Robson Homes (Arcadia)	SF	O			4		4		INC				
Robson Homes (Castilleja)	SF	O			2		2		INC				
D St Secondary Dwelling Unit					1		1						
Summerhill Homes (Rosewood)	5+	O			15		15		INC				
(9) Total of Above Moderate Units	>	>	>	>	>		223						
(10) Total by Income Units (Field 5) Table 2	>	>	>	0	2	42	223						

Legend:  
SF - Single Family Residence  
5+ - Multifamily Residence w/ 5+ units  
SU - Secondary Dwelling Unit  
INC - Inclusionary Housing Unit

